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## **Combined Declaration and Power of Attorney**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

## **Controlled Gas Packaging**

the specification of which

[ X ] is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under 35 USC 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed :

Prior Foreign Application(s) Priority Claimed  
New Zealand patent application # 509971 Yes  
dated 14 February 2001

I hereby claim the benefit under 35 USC 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 USC 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial # No Filing Date Status

The undersigned hereby authorizes the US attorney or agent named herein to accept and follow instructions from **PIPER** as to any action to be taken in the Patent and Trademark Office regarding this application without direct communication between the US attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the US attorney or agent named herein will be so notified by the undersigned.

As a named inventor, I hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: **Robert J. PATCH, Reg. No. 17,355; Andrew J. PATCH, Reg. No. 32,925; Robert F. HARGEST, Reg. No. 25,590; Benoît CASTEL, Reg. No. 35,401, Eric JENSEN, Reg. No. 37,855 and Thomas W. PERKINS, Reg No. 33,027 C/- YOUNG & THOMPSON, Second Floor, 745 South 23rd Street, Arlington, VA 22202.**

Address all telephone calls to Young & Thompson at 703/521-2297.

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Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR

**COSTELLO, Anthony William**

Signature of Inventor



9/2/02

Date: